

GLOUCESTER CITY COUNCIL CALENDAR OF BUSINESS

TUESDAY, December 8, 2020

6:00 P.M.

REMOTE MEETING

COUNCIL MEETING #2020-023

MEETINGS ARE RECORDED

CITY CLERK
GLOUCESTER, MA

2020 DEC -4 AM 8:08



REVISED AGENDA

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting but every effort will be made to allow the public to view and listen to the meeting in real-time.

Join from Computer, Smart Device: <https://gloucester-ma-gov.zoom.us/j/89663401032>

Join via Phone: 1-301-715-8592 or 1-312-626-6799

Meeting ID: 896 6340 1032

Please visit <http://gloucester-ma.gov/remote-public-meetings> for instructions and guidance on how to join a remote meeting

ORAL COMMUNICATIONS

PRESENTATIONS/COMMENDATIONS

CONFIRMATION OF NEW APPOINTMENTS

None

CONSENT AGENDA

ACTION

- **CONFIRMATION OF REAPPOINTMENTS**
- **MAYOR'S REPORT**

1. Memorandum from Veterans Services Director requesting acceptance of donations in the amount of \$100
2. Flyer for the #GetBackMass campaign

(Refer B&F)
(Info Only)

- **COMMUNICATIONS/INVITATIONS**
- **INFORMATION ONLY**

1. Letter from Executive Director of PERAC re: Appropriation for Fiscal Year 2022 (for information only)

(Refer B&F)

- **APPLICATIONS/PETITIONS**
- **COUNCILLORS ORDERS**

1. CC#2020-016(Gilman): Request City Council, based on a Traffic Commission speed study, petition the MassDOT to reduce the speed limit on Leonard Street to 20 MPH

(Refer O&A)

- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting: 11/24/2020 (under separate cover)
2. Standing Committee Meetings: B&F 12/3/2020 (under separate cover), O&A 11/30/2020 (cancelled), P&D 12/2/2020 (under separate cover)

(Approve/File)

(Approve/File)

STANDING COMMITTEE REPORTS

ACTION

B&F 12/3/2020

1. Supplemental Appropriation Budgetary Request (#2021-SA-2) from the CFO
2. Memorandum from Assistant DPW Director requesting disposition of real property for the Good Harbor/Wingaersheek Beach Concession lease

O&A 11/30/2020 (Cancelled)

P&D 12/2/2020

1. Memorandum from General Counsel re: proposed amendments to Article 97 Home Rule legislation related to East Gloucester/Veterans Memorial Elementary School Combined School project

Individual items from committee reports may be consolidated into a consent agenda

SCHEDULED PUBLIC HEARINGS

1. PH2020-033: Amend GZO Sec. 5.33 "Temporary Zoning Relief to Businesses during COVID-19 Pandemic" (Cont. from 11/24/2020)
2. PH2020-034: Loan Order 2020-008: Loan Authorization request in the amount of \$66,700,000 to support the design, site work, construction and outfitting of the new East Gloucester/Veterans Memorial Elementary School
3. PH2020-032: Tax Classification in accordance with MGL c. 40, §5 and GCO Ch. 2, Sec. 2-26 to determine the percentage of the local tax levy for the Fiscal Year 2021 to be borne by each class of real and personal property (Cont. from 11/24/2020)
4. PH2020-035: Amend GCO Ch. 10 "Waterways Administration," Art. V "Other Waterway Regulations," Sec. 10-87 "Harbormaster Patrol Details"

5. PH2020-036: Amend GCO Ch. 22 "Traffic and Motor Vehicles," Art. VI "Traffic Schedules," Sec. 22-270.1 "Resident Sticker Parking Only" by ADDING Fenley Road and Cedarwood Road from May 1 – September 15 only

FOR COUNCIL VOTE

1. Decision to Adopt: SCP2019-006: East Main Street #116, Map 59, Lot 53, GZO Sec. 2.3.1(8) & 1.8 for conversion to 8-unit residential dwelling, Sec. 3.2.2fn(e) distance between principal buildings, Sec. 3.2.2fn(a) minimum lot area per dwelling unit, Sec. 3.2.2fn(a) minimum open space per dwelling unit

(FCV)

UNFINISHED BUSINESS


OTHER BUSINESS

INDIVIDUAL COUNCILLOR'S DISCUSSION INCLUDING REPORTS BY APPOINTED COUNCILLORS TO COMMITTEES:

None

COUNCILLOR'S REQUESTS TO THE MAYOR

ROLL CALL – Councillor Barry Pett



City Clerk

Meeting dates are subject to change. Check with City Clerk's Office

NEXT REGULAR CITY COUNCIL MEETING, January 12, 2021

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None

NOTE: The Council President may rearrange the Order of Business in the interest of public convenience.

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*revision

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CITY CLERK
GLOUCESTER, MA

2020 DEC -3 PM 5:25



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City Hall
Nine Dale Avenue
Gloucester, MA 01930
CITY CLERK
GLOUCESTER, MA

2020 DEC -3 AM 10:13



TEL 978-281-9700
FAX 978-281-9738
mayor@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TO: City Council
FROM: Mayor Sefatia Romeo Theken
DATE: December 2, 2020
RE: Mayor's Report for the December 8, 2020 City Council Meeting

Members of the City Council:

In this Mayor's report you'll find some updates from my office. Additionally, there is one financial matter for your consideration.

Year-End Message - As the last regular City Council meeting for this year, we want to extend our thanks and gratitude to the entire Council for their dedication and support of our great city. We've accomplished a lot together this year and we look forward to continued success and collaboration in 2021. Wishing you all a safe and wonderful holiday season of joy and peace.

In observance of the Christmas holiday city offices will be closed Thursday, December 24 and Friday, December 25. City Offices will reopen on Monday, December 28 at normal business hours.

In observance of New Years' Day city offices will be closed Friday, January 1, 2020. City Offices will reopen on Monday, January 4 at normal business hours.

COVID-19 Updates – For the period of December 1-2, there had been 32 new cases of COVID-19 identified among Gloucester residents -- the highest rate of new daily cases in the community since the pandemic began.

As of yesterday, December 2 the status of COVID-19 cases in the City of Gloucester were as follows:

- 624 overall cases (564 confirmed and 60 probable);
- 533 recovered;

- 26 COVID-19 related deaths; and
- 65 active cases.

We must all remain vigilant and continue taking steps to mitigate the spread of the virus in order to allow us keep our local economy open, our kids in school, and to protect each other and our loved ones. Please continue to wear a mask or face covering when out in public, maintain a safe physical distance of 6 feet from others, wash and sanitize your hands and frequently touched surfaces often, and stay home if you're sick.

Thanksgiving Zoom Call for Seniors – As you all know, in the weeks preceding Thanksgiving the calls by public health officials to celebrate the holiday only with members of our immediate households became louder and louder. As someone who is a household of one, Elise made the decision to turn down the invitations she had received from well-meaning friends and family in order to keep herself and her loved ones as safe as possible. She pondered how different her day would look and that it was likely that she might feel a little lonely at times. She thought about the fact that if that were true for her it might be true for some seniors.

Leaving a Zoom meeting open for anyone to “drop by” for a spell seemed like a good way to have a visit with anyone who might need or want one. She scheduled the “meeting” from 12:00 to 2:30 and sent out the email link to the nearly 1700 seniors on our new email distribution list and link was shared on my social media to increase our reach to as many potentially isolated seniors as possible.

Although the number of attendees were small, the interactions were awesome with one senior joining the meeting from Alabama to tell us how much she misses Gloucester and misses volunteering at the Rose Baker Senior Center. The other senior who joined was local and dropped into the meeting in the spirit of embracing a completely different Thanksgiving Day. She reminisced about her usual Thanksgiving routine and seemed very hopeful about returning to that next year.

Our sincere thanks to Elise for her efforts in coordinating this meeting for our seniors that brought a few people some socialization and good cheer!

Financial Matters

- **Enclosure 1** is a memo from Cape Ann Veterans Services District Director Adam Curcuru requesting the acceptance of donations in the amount of \$100.00 to support the continued efforts to serve our Veterans and Active Duty military communities. ***Please***

refer this matter to the Budget and Finance Standing Committee for review and approval. Cape Ann Veterans Services District Director Adam Curcuru, or appropriate personnel, will be available to answer questions and provide further information.

Informational Only

- **Enclosure 2** is a flyer from the state regarding their #GetBackMass campaign on what we all need to do in order to get back to the things we love – Wear a mask. Keep your distance. Get Tested. Please share!

As always, we encourage the City Council to contact us for any questions or comments regarding this submission but we will continue to offer updates and insights across all these matters as they move forward.

###


Sefatia Romeo Theken

ENCLOSURE 1



Office: 12 Emerson Avenue
Mail: City Hall, 9 Dale Avenue
Gloucester, MA 01930

CAPE ANN Office of Veterans' Services

TEL 978-281-9740
FAX 978-282-3053
acurcuru@gloucester-ma.gov

Memorandum

To: Mayor Sefatia Romeo Theken
CC: John Dunn, CFO, Kenny Costa, Auditor,
From: Adam Curcuru Veterans Services
Subject: Mayor's Report Acceptance of Donations to support Cape Ann Veterans Services
Date: 11/12/2020

Mayor Romeo Theken,

Cape Ann Veterans Services has generously received the following donations from members and business partners within our community. I would like to request that the donations listed below be accepted by the city to support continued efforts to serve our Veterans and Active Duty military communities.

Name	Amount	Date
Linda Comeau	50.00	10/29/2020
Wayne Sargent	50.00	10/25/2020
Total Deposit	100.00	11/12/2020

Very Respectfully,

A handwritten signature in dark ink, appearing to read 'Adam Curcuru', is written over the printed name and title.

Cape Ann Veterans Services
District Director

DEPARTMENTAL PAYMENTS TO TREASURER

№ 071101

CITY AGENCY Auditor's Office ? Veterans Office

COLLECTED FROM	NO. OR DATE	PURPOSE OR FEE CATEGORY	REVENUE CODE						AMOUNT \$
			FUND	DEPT.	SCHED.	ACCOUNT	DIV (CC1)	SUBDIV (CC2)	
Wayne Sargent ? Theresa Marchant	2095 10/25/2020	Veterans Donation	3	3584		-483000			\$50.00
Linda ? Edward Cameau	997 10/29/2020	Veterans Donation	3	3584		-483000			\$50.00
TO CITY AUDITOR: I have collected and paid to the City Treasurer the moneys listed above. (SIGNED BY) _____ AGENCY OFFICER									TOTAL \$100.00
I have received the moneys listed above for the specified accounts. (SIGNED BY) _____ CITY TREASURER			TREASURER'S DISPOSITION: CASH BOOK PAGE		DEPOSIT RECEIPT BANK		CHECKS	\$100.00	
			SCHEDULE OF RECEIPTS		DATE		CURRENCY		

AUDITOR'S DISPOSITION:

INSTRUCTIONS: To be prepared in triplicate and presented in person at the Treasurer's Office, with currency, checks, or bank deposit slips, no later than one week after collection.

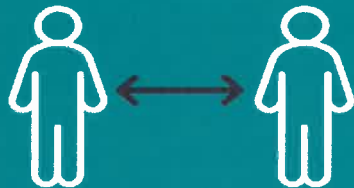
**ORIGINAL WHITE to be retained by Treasurer's Office.
CANARY COPY to be returned to submitting agency for permanent filing.
PINK COPY to be submitted to the City Auditor.**

ENCLOSURE 2

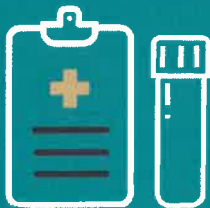
Let's **#GetBackMass**



Wear a Mask



Keep Your Distance



Get Tested



**#Get
BackMass**

mass.gov/GetBack

PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

PHILIP Y. BROWN, ESQ., *Chairman*

JOHN W. PARSONS, ESQ., *Executive Director*

Auditor SUZANNE M. BUMP | KATHLEEN M. FALLON | KATE FITZPATRICK | JAMES M. MACHADO | ROBERT B. MCCARTHY | JENNIFER F. SULLIVAN

MEMORANDUM

TO: Gloucester Retirement Board
FROM: John W. Parsons, Esq., Executive Director
RE: Appropriation for Fiscal Year 2022
DATE: November 17, 2020



2020 NOV 30 AM 10:48
CITY CLERK
GLOUCESTER, MA

Required Fiscal Year 2022 Appropriation: **\$11,646,577**

This Commission is hereby furnishing you with the amount to be appropriated for your retirement system for Fiscal Year 2022 which commences July 1, 2021.

Attached please find summary information based on the present funding schedule for your system and the portion of the Fiscal Year 2022 appropriation to be paid by each of the governmental units within your system.

The current schedule is due to be updated by Fiscal Year 2023.

If you have any questions, please contact PERAC's Actuary, John Boorack, at (617) 666-4446 Extension 935.

JWP/jfb
Attachments

cc: Office of the Mayor
City Council
c/o City Clerk

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Gloucester Retirement Board

Projected Appropriations

Fiscal Year 2022 - July 1, 2021 to June 30, 2022

Aggregate amount of appropriation: **\$11,646,577**

Fiscal Year	Estimated Cost of Benefits	Funding Schedule (Excluding ERI)	ERI	Total Appropriation	Pension Fund Allocation	Pension Reserve Fund Allocation	Transfer From PRF to PF
FY 2022	\$11,919,065	\$11,646,577	\$0	\$11,646,577	\$11,646,577	\$0	\$272,488
FY 2023	\$12,317,135	\$12,438,544	\$0	\$12,438,544	\$12,317,135	\$121,409	\$0
FY 2024	\$12,728,408	\$13,284,365	\$0	\$13,284,365	\$12,728,408	\$555,957	\$0
FY 2025	\$13,153,320	\$14,187,702	\$0	\$14,187,702	\$13,153,320	\$1,034,382	\$0
FY 2026	\$13,592,325	\$15,152,466	\$0	\$15,152,466	\$13,592,325	\$1,560,141	\$0

The Total Appropriation column shown above is in accordance with your current funding schedule and the scheduled payment date(s) in that schedule. Whenever payments are made after the scheduled date(s), the total appropriation should be revised to reflect interest at the rate assumed in the most recent actuarial valuation. Payments should be made before the end of the fiscal year.

For illustration, we have shown the amount to be transferred from the Pension Reserve Fund to the Pension Fund to meet the estimated Cost of Benefits for each year. If there are sufficient assets in the Pension Fund to meet the Cost of Benefits, this transfer is optional.

Gloucester Retirement Board
Appropriation by Governmental Unit

Fiscal Year 2022 - July 1, 2021 to June 30, 2022

Aggregate amount of appropriation: **\$11,646,577**

UNIT	Percent of Aggregate Amount	Funding Schedule (excluding ERI)	ERI	Total Appropriation
City of Gloucester	94.58%	\$11,015,333	\$0	\$11,015,333
Gloucester Housing Authority	5.42%	\$631,244	\$0	\$631,244
UNIT TOTAL	100%	\$11,646,577	\$ 0	\$11,646,577

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**CITY OF GLOUCESTER 2020
CITY COUNCIL ORDER**

ORDER: CC#2020-016
COUNCILLORS: Val Gilman

DATE RECEIVED BY COUNCIL: 12/8/20
REFERRED TO: O&A
FOR COUNCIL VOTE:

ORDERED that the City Council, based on a Traffic Commission Speed Study, petition the MassDOT to reduce the speed limit on Leonard Street to 20 MPH.

FURTHER ORDERED that this matter be referred to the Ordinances and Administration Standing Committee for review and recommendation to City Council.

Val Gilman
Ward 4 Councilor

CITY COUNCIL MEETING MINUTES

11/24/2020

(UNDER SEPARATE COVER)

PLANNING & DEVELOPMENT MEETING MINUTES

12/2/2020

(UNDER SEPARATE COVER)

BUDGET & FINANCE MEETING MINUTES

12/3/2020

(UNDER SEPARATE COVER)



GLOUCESTER CITY COUNCIL 2020 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2020-033

SUBJECT: Amend GZO Sec. 5.33 "Temporary Zoning Relief to Businesses during COVID-19 Pandemic"

DATE OPENED: 12/8/2020

CONTINUED TO:

CONTINUED FROM: 11/24/2020

COMMITTEE: P&D 11/18/2020, 12/2/2020

NOTICE OF PUBLIC HEARING

Pursuant to Section 17 of Chapter 53 of the Acts of 2020, in accordance with the provisions of MGL Chapter 40A, Section 5, and the Gloucester Zoning Ordinance, Sec. 1.11 and Sec. 1.11.2(e), the Gloucester City Council will hold a remote public hearing on Tuesday, November 24, 2020 at 6:00 p.m. relative to the following.

Amend the Gloucester Zoning Ordinance by AMENDING Sec. 5.32 "Temporary Zoning Relief to Businesses During COVID-19 Pandemic"

1. Purpose and Duration.

The purpose of this Section is to provide the temporary zoning relief to businesses in the City of Gloucester during the COVID-19 Pandemic to facilitate and encourage the reopening of existing businesses and to provide opportunities to stimulate economic activity during this time. The City takes this action to allow businesses some flexible options during the next few months so that they can use outdoor and other additional spaces to the extent reasonably safe and feasible to operate, while providing required social distancing and other health and safety measures for patrons and employees. This Section 5.32 is temporary and shall expire on ~~December 4, 2020~~ **December 31, 2021**. This Section shall apply only to temporary structures and to temporary uses and only to the structures and uses described below. Such structures and uses shall not remain in streets or public spaces **beyond November 30th of any calendar year. Structures and uses on private property may remain on the site or in use after the until the expiration of this Section, unless otherwise permitted by law.**

2. Temporary Permit Exemption.

Existing business uses as identified in Section 2.3.4 Business Uses including existing retail and consumers services as identified in Section 2.3.4(27) and restaurants as identified in Section 2.3.4(9) of the Zoning Ordinance shall be allowed to temporarily add outdoor seating, display, or takeout without requiring a special permit from the Zoning Board of Appeals or the City Council, or approval of the Planning Board under Section 5.9 Site Plan Review, as applicable. Such outdoor seating, display, or takeout operations may be proposed on public or private sidewalks, in parking spaces, or in parking lots, however all other codes, requirements and permissions shall be in effect. In lieu of a special permit or Site Plan Review requirements, applicants for outdoor seating, display, or takeout, shall be required to obtain a temporary use permit from the Building Department after an administrative application review by, including but not limited to, the Building Department, Health Department, and Public Safety Departments to ensure the safe use of the outdoor space.

Access information for the remote public hearing will be listed on the agenda at www.gloucester-ma.gov. The President reserves the right under the law to re-schedule the date and/or deadline for this and any other public hearing at any time provided that the applicant and the public are notified as quickly as is reasonably possible.

At the public hearing, all interested persons will have the opportunity to be heard based on the procedures determined by the Council.

All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be submitted to the Council prior to the public hearing.

By Vote of the City Council
Joanne M. Senos, City Clerk

City Hall Annex
Three Pond Road
Gloucester, MA 01930



**CITY OF GLOUCESTER
Community Development Department
Planning Division**

GREGG M. CADEMARTORI
Planning Director
tel 978-325-5242
gcademartori@gloucester-ma.gov

CITY CLERK
GLOUCESTER, MA
2020 NOV 30 PM 2:41

**Date: November 30, 2020
To: City Council
From: Gregg Cademartori, Planning Director**

**RE: Planning Board Zoning Ordinance Review and Recommendation – Amendments to
GZO Section 5.33 Temporary Zoning Relief To Businesses During COVID-19 Pandemic**

In accordance with M.G.L. c. 40A, and Section 1.11 of the Gloucester Zoning Ordinance (GZO), the Planning Board held a public hearing on November 19, 2020 to review the proposed amendments to extend GZO Section 5.33 Temporary Zoning Relief To Businesses During COVID-19 Pandemic for another year through December 2021, and to permit continued temporary use of outdoors spaces on private property for this same period.

At the public hearing, conducted via remote participation, no one spoke in favor or opposition. At the close of the public hearing, the Planning Board voted unanimously (7-0) to recommend to the City Council the adoption of the amendments to Section 5.33 Temporary Zoning Relief To Businesses During COVID-19 Pandemic to provide a continued streamlined review and approval of requests for outdoor use to aid in the reopening and recovery of businesses, due to business interruptions and restrictions associated with the COVID-19 pandemic.

PLANNING & DEVELOPMENT MEETING MINUTES

12/2/2020

(UNDER SEPARATE COVER)

Planning & Development Standing Committee
Wednesday, November 18, 2020 – 5:30 p.m.
REMOTE MEETING
-Minutes-

Present: Chair, Councilor Val Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett

Also Present: Council President Steve LeBlanc; Councilor John McCarthy`

Also Present: Acting CAO, Vanessa Krawczyk; Assistant City Clerk, Grace E. Poirier; Community Development Director, Jill Cahill; Planning Director, Gregg Cademartori

Applicants: Attorney Joel Favazza of Seaside Legal Solutions, P.C. representing SCP2020-005

This meeting was conducted remotely through ZOOM. All votes were taken by ROLL CALL.

Meeting called to order at 5:30 p.m.

There was a quorum of the City Council.

Chairperson Gilman announced, "This meeting is recorded by video and audio in accordance with state open meeting law. Consistent with the Governor's orders, suspending certain provisions of the open meeting law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting, but every effort will be made to allow the public to view and listen to the meeting in real time. Persons who wish to do so are invited to view the meeting and you have the information that was on the posting. If you are calling in on a phone, you can press *9 to request to speak. If you are watching on a computer a device, there is a raised hand button that you can tap or press to request to speak. Please use either of these options to be recognized to speak."

→ 1. Memorandum from Community Development Director requesting extension of temporary zoning relief to businesses during COVID-19 through December 30, 2021 (Cont. from 11/4/2020)

This matter has been continued until **Wednesday, December 2, 2020.**

Summary of Discussion: **Chairperson Gilman** explained that this matter had been continued until the next Planning & Development meeting so it could appear before the Planning Board tomorrow night, and the board recommendation could be received by the committee.

Community Development Director Jill Cahill shared that while the Planning & Development Committee was allowed to act as an independent body, she respected the fact that the committee liked to receive feedback from the Planning Board's public hearings, and take board recommendations into consideration.

She explained that for zoning, once the public notice was advertised, technically went into effect, so the continuance would not compromise any businesses currently taking advantage of the opportunity that had been available to them since spring due to the pandemic. All involved members of the administration agreed that no foreseeable problems would be caused by waiting until December. She mentioned that **Planning Director Gregg Cademartori** was present at the meeting this evening, and encouraged anyone interested to attend the public hearing tomorrow night.

Ms. Cahill had shared with **Chairperson Gilman** during their discussion this morning that one of the

reasons it was requested that the temporary zoning relief be extended through December 30, 2021 was so that businesses could move outside as soon as weather permitted in the spring. She thanked them for their consideration, and stated that she would appear before the committee again on December 2nd. She shared that on Main Street, Jalapeno's Restaurant and Cafe Sicilia were the last two businesses that still offered outside dining, and were permitted to remain outside until November 30th. The Community Development department continued to work closely with the Department of Public Works and both businesses on this matter. She said that both business had been extremely cooperative and fantastic to communicate with, and if there was an extreme weather threat, they would move indoors immediately, but would otherwise try to take advantage of any remaining warm days of the season.

Councilor Pett thanked **Ms. Cahill** and **Mr. Cademartori** for attending tonight's meeting. He stated that on Friday, November 20, 2020, a joint legislative hearing was scheduled for seasonal licenses. Even though the temporary zoning permit extension may not affect any businesses with seasonal licenses, he asked if **Ms. Cahill** had planned on including that possibility in her Planning Board presentation rather than the board reaching a decision, and then having it be discovered that a business might qualify for participation, but were not included in the language.

Ms. Cahill explained that seasonal liquor licenses were a separate matter that would not appear before the Planning Board, but she made **Councilor Pett** aware that she had been working very closely with the Licensing Board on both matters. If the Home Rule Petition was passed by the legislature, the two boards would work together. She encouraged anyone interested to join the joint legislative hearing via Zoom that would be held Friday, November 20th at 1:00 p.m.

While the Planning Board's recommendation would not affect the joint legislative hearing, she expressed hope that the petition would be passed. She thanked the Licensing Board Chair, Building Inspector Bill Sanborn, **Mr. Cademartori**, **Mayor Romeo Theken**, the City Council, and everyone else who worked quickly and efficiently on the liquor license fees and zoning to make this relief possible for local businesses.

Mr. Cademartori welcomed the public to attend the Planning Board meeting tomorrow night. He explained that the board wanted to perform an audit to determine if there were any issues created by these uses. He mentioned that beyond the ordinance extension, there was a practical issue for the use of public streets, and that use would not change if additional allowances or extensions of other uses related to the licensing were granted. He explained that use on private property was something that would continue as long as it made sense for the operator, and it would be great if some of that was extended further by actions taken on Friday. He stated that the City was trying to create as much reasonable opportunity as possible, so any business conducted on private property would be able to continue outdoors in an effort to act locally and support local businesses. **Chairperson Gilman** expressed thanks and appreciation to **Mr. Cademartori**, **Ms. Cahill**, and **Acting Chief Administrative Officer Vanessa Krawczyk** for all of their proactive work.

Chairperson Gilman stated that **Council President LeBlanc** would open the public hearing for this matter during the City Council meeting scheduled on **Tuesday, November 24, 2020**. It would then appear before the Planning & Development Committee on **Wednesday, December 2, 2020**.

2. SCP2020-005: Rocky Neck Avenue #37, Map 130, Lot 4A, GZO Secs. 2.3.1.7 "Conversion to or new multi-family or apartment dwelling, four to six dwelling units," and 3.2 "Dimensional Tables," reduction in minimum lot area and open space per dwelling unit to create a fourth unit, in the NB zone (Returned to P&D by vote of City Council on November 10, 2020.)

Summary of Discussion: **Chairperson Gilman** explained that this matter had returned to Planning & Development in order to further discuss the permit conditions.



GLOUCESTER CITY COUNCIL 2020 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2020-034

SUBJECT: Loan Order 2020-008: Loan Authorization request in the amount of \$66,700,000 to support the design, site work, construction and outfitting of the new east Gloucester/Veterans memorial Elementary School

DATE OPENED: 12/8/2020

CONTINUED TO:

CONTINUED FROM:

COMMITTEE: B&F 12/3/2020

**PUBLIC HEARING
LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

Pursuant to Section 17 of Chapter 53 of the Acts of 2020, the Gloucester City Council will hold a remote public hearing on **Tuesday, December 8, 2020 at 6:00 p.m.** relative to the following:

Ordered: That the City appropriate the amount of Sixty-Six Million Seven Hundred Thousand (\$66,700,000) Dollars for the purpose of paying costs of the design, site work, construction and outfitting of a new East Gloucester/Veterans Memorial Elementary School to be located at 11 Webster Street, Gloucester, MA, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee. To meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided further that any grant that City may receive from the MSBA for the Project shall not exceed the lesser of (1) sixty-four and sixty-five hundredths percent (64.65%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, ??§20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Access information for the remote public hearing will be listed on the agenda at www.gloucester-ma.gov. The President reserves the right under the law to re-schedule the date and/or deadline for this and any other public hearing at any time provided that the applicant and the public are notified as quickly as is reasonably possible.

At the public hearing, all interested persons will have the opportunity to be heard based on the procedures determined by the Council.

All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be submitted to the Council prior to the public hearing.

By Vote of the City Council
Joanne M. Senos, City Clerk

AD#13926992
CAB 11/27/2020

BUDGET & FINANCE MEETING MINUTES

12/3/2020

(UNDER SEPARATE COVER)



GLOUCESTER CITY COUNCIL 2020 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2020-032

SUBJECT: Tax Classification in accordance with MGL c.40, §56 and GCO Ch. 2 Sec. 2-26 to determine the percentage of the local tax levy for the Fiscal Year 2021 to be borne by each class of real and personal property

DATE OPENED: 12/8/2020

CONTINUED TO:

CONTINUED FROM: 11/24/2020

COMMITTEE: B&F 11/5/2020, 11/19/2020, 12/3/2020

NOTICE OF PUBLIC HEARING

Pursuant to Section 17 of Chapter 53 of the Acts of 2020, and in accordance with the provisions of MGL Chapter 40, Section 56, and pursuant to the Gloucester Code of Ordinances Chapter 2, Section 2-26 entitled "Tax Classification, Timing and Notice," the Gloucester City Council will hold a remote public hearing on Tuesday, November 24, 2020, at 6:00 P.M., relative to the following:

TAX CLASSIFICATION

To determine the percentage of the local tax levy for the Fiscal Year 2021 to be borne by each class of real and personal property.

Access information for the remote public hearing will be listed on the agenda at www.gloucester-ma.gov. The President reserves the right under the law to reschedule the date and/or deadline for this and any other public hearing at any time provided that the applicant and the public are notified as quickly as is reasonably possible.

At the public hearing, all interested persons will have the opportunity to be heard based on the procedures determined by the Council.

All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be submitted to the Council prior to the public hearing.

By Vote of the City Council
Joanne M. Senos, City Clerk
GT - 11/6, 11/13/20

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
mayor@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

CITY CLERK
GLOUCESTER, MA
2020 DEC -1 AM 9:17

TO: City Council
FROM: Mayor Sefatia Romeo Theken
DATE: December 1, 2020
RE: Tax Classification

Residents and businesses in Gloucester deserve consistent and predictable tax policy. Together we have done just that because it currently remains the best policy for Gloucester. From FY06 through FY16 the rate shift remained constant at 1.06. Since FY17 we have been able to reduce the tax shift by half to 1.03.

After reviewing work done by the Assessor's Department, with values that have been certified by the Department of Revenue, we recommend the Budget and Finance Standing Committee and City Council adopt the same tax factor, 1.03, for this year, FY21. No action is required regarding an open space discount, a residential exemption or a small commercial exemption. As outlined in the tax classification information presented to you from the Assessor's Department you will see very few communities adopt those options.

As you know, economic growth remains a priority within our City. We work hard to promote and stimulate economic development and identify new growth opportunities to build our commercial base. By doing so we are able to bring good jobs, tax revenue and opportunities to our community.

I appreciate your consideration and recommend that you adopt a 1.03 tax rate for FY21.

###

Sefatia Romeo Theken



Tax Classification Information

for

Fiscal Year 2021

Presented by:

BOARD OF ASSESSORS

Nancy A. Papows, MAA

Gary I. Johnstone, MAA

Timothy W. Good, IV, MAA

All figures are based on Department of Revenue approved values. Tax rates as shown are estimated. The City Council is voting on a “residential factor.” Once this factor is entered on the RECAP actual calculations of tax rates may differ slightly due to rounding.

CLASSIFICATION CONSIDERATIONS

SOME ECONOMIC & POLITICAL ISSUES

Outlined by the Department of Revenue

1. Consider percentage of commercial and industrial (C & I) properties as compared to residential (R).
2. Will an increased tax burden on C & I significantly lower the R tax burden?
3. What is the mix of commercial and industrial properties?
 - a. How much is big business?
 - b. How much is small business?
4. Are the businesses of the type that require extraordinary municipal services?
5. Will it adversely affect small business and drive them out of the community?
Would a small commercial exemption help?
6. Will it slow big business development?
7. Does business significantly contribute in a non-tax way to the community?
8. Is the timing proper for the move to a multiple or single tax rate?
9. Will a shift to the C & I maintain or increase the relative or historical share of the tax burden?
10. Is it a matter of principle or economics?

THE BACKGROUND OF TAX CLASSIFICATION

The November 1978 state ballot presented the opportunity for Massachusetts voters to amend the State Constitution with respect to the taxation of certain properties. In part, Question #1 allowed cities and towns of the Commonwealth to:

“...classify real property according to its use in no more than four classes, and to assess, rate, and tax such property differently in the classes so established, but proportionately in the same, except that reasonable exemptions may be granted.”

Thus, the referendum which was to become known simply as “classification” would allow the shifting of the ad valorem tax from one class of taxpayer to another. The four classes are:

Residential
Open Space
Commercial
Industrial

The reason most often cited for supporting classification was to maintain the de facto classification which had occurred in some cities and towns. In the 1974 Sudbury decision the Supreme Judicial Court of Massachusetts declared that all real property within the Commonwealth must be assessed at its full and fair market value. Prior to this decision it was claimed that most municipalities under assessed residential properties, and over assessed commercial/industrial properties. For these communities the 100% assessment would cause the tax burden to shift to the residential class. It was felt that many communities, especially the older cities, could not afford this shift. Thus, classification would soften the blow and allow a municipality’s legislative body, with the approval of the executive, in our case the City Council and Mayor respectively, to allocate a community’s tax burden disproportionately, within certain constraints, among the four general classes of Real Property as well as Personal Property.

The notion of classification as a political solution is supported by the fact that the bill was initially introduced by Boston Mayor Kevin White. Boston faced a dramatic shift in its tax burden to the residential class.

Once it had become law, the procedure for implementing classification fell to the governing body of the local taxing jurisdiction. According to the Amendment:

“...the Selectmen in each town, and the City Council, with the approval of the Mayor, of each city, shall annually determine the percentage of the local tax levy to be borne by each class of property...”

The Board of Selectmen or City Council, with the Mayor's approval, must decide the percentages of the tax levy that each class of real property and personal property will bear. To do so, a residential factor is adopted. Municipalities may also consider whether to allow an open space discount, a residential exemption and a small commercial exemption.

1) Adopting a **Residential Factor**. A factor of 1 would result in a single tax rate for all classes of property while any other selected factor would result in different tax rates for the different classes. It is this option which is the source of most of the debate.

2) A discount (25% maximum) for all property classified as **Open Space**. The effect of the discount must be borne by the residential class thus increasing the residential tax rate.

3) A **Residential Exemption** of up to 35% of the average assessed valuation of the residential class. The effect of the exemption must be borne by the residential class alone.

4) Adopting a **Small Commercial Exemption** (10% maximum), with specific limitations, and the effect of the exemption will be borne by the commercial and industrial classes. Thus, higher valued properties, in effect "subsidize" lower valued properties.

SUMMATION

Cities and towns that are certified by the Department of Revenue as assessing properties at full and fair cash value may elect to shift the tax burden among the major property classes within certain limits established by law. The adoption of different rates does NOT change the total property tax levy, rather it determines the share to be borne by each class.

The share of the levy raised by the commercial, industrial, and personal property classes may be increased by 50% as long as the residential and open space classes raise at least 65% of what they would have raised without the shift. The "Minimum Residential Factor" established by the Commissioner of Revenue is issued to make certain that the shift of the tax burden complies with the Classification Act. For Fiscal Year 2021 the maximum shift allowed would be 1.50.

A COMPARISON OF FISCAL 2021 VALUES BY CLASS

<u>CLASS</u>	<u>PARCELS</u>	<u>VALUE OF CLASS</u>	<u>% OF TOTAL VALUE</u>
RESIDENTIAL	12,636	\$6,523,057,130	90.31%
COMMERCIAL	555	\$ 374,178,430	
INDUSTRIAL	203	\$ 172,047,040	9.69%
PERSONAL PROPERTY (accts.)	1,592	\$ 153,427,970	
<hr/>			
TOTALS	14,986	\$7,222,710,570	100%

FISCAL YEAR PARCEL COUNTS, VALUES, AND % OF TOTAL TAXABLE CITY VALUE

08	RESIDENTIAL	12,358	\$5,242,429,165	90.91}	90.91%
	COMMERCIAL	593	\$280,893,305	4.87	
	INDUSTRIAL	210	\$168,669,130	2.92}	9.09%
	PERS PROP	1,514	\$74,752,690	1.30	
09	RESIDENTIAL	12,398	\$5,131,715,937	90.43}	90.43%
	COMMERCIAL	597	\$291,565,933	5.14	
	INDUSTRIAL	210	\$167,680,030	2.95}	9.57%
	PERS PROP	1,521	\$83,931,100	1.48	
10	RESIDENTIAL	12,428	\$4,823,470,706	89.63}	89.63%
	COMMERCIAL	594	\$300,127,372	5.58	
	INDUSTRIAL	210	\$167,286,322	3.11}	10.37%
	PERS PROP	1,541	\$90,546,600	1.68	
11	RESIDENTIAL	12,452	\$4,722,167,330	89.30}	89.30%
	COMMERCIAL	588	\$301,355,658	5.70	
	INDUSTRIAL	210	\$162,664,112	3.07}	10.70%
	PERS PROP	1,586	\$101,892,820	1.93	
12	RESIDENTIAL	12,465	\$4,568,213,394	88.95}	88.95%
	COMMERCIAL	591	\$298,555,412	5.81	
	INDUSTRIAL	207	\$160,182,394	3.12}	11.05%
	PERS PROP	1,605	\$108,995,390	2.12	
13	RESIDENTIAL	12,489	\$4,547,193,970	88.92}	88.92%
	COMMERCIAL	583	\$295,165,012	5.77	
	INDUSTRIAL	206	\$159,699,918	3.12}	11.08%
	PERS PROP	1,653	\$111,716,260	2.19	
14	RESIDENTIAL	12,501	\$4,586,013,382	88.80}	88.80%
	COMMERCIAL	585	\$306,863,592	5.94	
	INDUSTRIAL	209	\$162,999,426	3.16}	11.20%
	PERS PROP	1,614	\$108,314,630	2.10	
15	RESIDENTIAL	12,490	\$4,742,958,563	89.02}	89.02%
	COMMERCIAL	584	\$309,327,365	5.81	
	INDUSTRIAL	209	\$165,566,272	3.11}	10.98%
	PERS PROP	1,643	\$110,008,000	2.06	
16	RESIDENTIAL	12,519	\$4,952,400,301	89.45}	89.45%
	COMMERCIAL	578	\$312,996,766	5.65	
	INDUSTRIAL	208	\$161,739,833	2.92}	10.55%
	PERS PROP	1,668	\$109,622,320	1.98	
17	RESIDENTIAL	12,534	\$5,325,464,096	89.80}	89.80%
	COMMERCIAL	570	\$328,422,330	5.54	
	INDUSTRIAL	207	\$164,154,274	2.77}	10.20%
	PERS PROP	1,690	\$112,471,660	1.89	
18	RESIDENTIAL	12,549	\$5,632,515,602	89.87}	89.87%
	COMMERCIAL	566	\$351,927,798	5.61	
	INDUSTRIAL	206	\$171,493,100	2.74}	10.13%
	PERS PROP	1,661	\$111,463,650	1.78	
19	RESIDENTIAL	12,578	\$5,970,388,157	90.27}	90.27%
	COMMERCIAL	573	\$359,687,243	5.44	
	INDUSTRIAL	205	\$168,574,400	2.55}	9.73%
	PERS PROP	1,630	\$115,407,390	1.74	
20	RESIDENTIAL	12,598	\$6,379,175,600	90.58}	90.58%
	COMMERCIAL	574	\$372,891,760	5.30	
	INDUSTRIAL	203	\$170,725,140	2.42}	9.42%
	PERS PROP	1,613	\$119,815,430	1.70	
21	RESIDENTIAL	12,636	\$6,523,057,130	90.31}	90.31%
	COMMERCIAL	555	\$374,178,430	5.18	
	INDUSTRIAL	203	\$172,047,040	2.38}	9.69%
	PERS PROP	1592	\$153,427,970	2.13	

**PREVIOUS CLASSIFICATION FACTORS
AND RESULTING TAX RATE**

FISCAL YEAR	TAX RATE @ FACTOR 1.0	SHIFT OF BURDEN FACTOR	TAX RATES AFTER SHIFT	% OF TOTAL VALUE BY CLASS	% OF TOTAL LEVY BY CLASS AFTER SHIFT
FY01	13.79	1.30	RO 13.27 CIP 17.93	88.85 11.15	85.50 14.50
FY02	11.76	1.30	RO 11.36 CIP 15.29	89.72 10.28	86.64 13.36
FY03	11.26	1.25	RO 10.95 CIP 14.09	90.00 10.00	87.56 12.44
FY04	9.86	1.25	RO 9.61 CIP 12.32	90.84 9.16	88.55 11.45
FY05	9.11	1.12	RO 8.99 CIP 10.19	90.93 9.07	89.84 10.16
FY06	8.73	1.06	RO 8.68 CIP 9.25	91.30 8.70	90.78 9.22
FY07	8.66	1.06	RO 8.61 CIP 9.18	91.41 8.59	90.89 9.11
FY08	9.16	1.06	RO 9.10 CIP 9.70	90.91 9.09	90.36 9.64
FY09	9.66	1.06	RO 9.60 CIP 10.24	90.43 9.57	89.85 10.15
FY10	10.57	1.06	RO 10.49 CIP 11.20	89.63 10.37	89.01 10.99
FY11	11.48	1.06	RO 11.31 CIP 12.08	89.30 10.70	88.66 11.34
FY12	12.27	1.06	RO 12.18 CIP 13.01	88.95 11.05	88.28 11.72
FY13	12.71	1.06	RO 12.62 CIP 13.48	88.92 11.08	88.26 11.74
FY14	13.08	1.06	RO 12.98 CIP 13.86	88.80 11.20	88.13 11.87
FY15	13.75	1.06	RO 13.65 CIP 14.58	89.02 10.98	88.36 11.64
FY16	13.71	1.06	RO 13.61 CIP 14.53	89.45 10.55	88.81 11.19
FY17	13.24	1.03	RO 13.19 CIP 13.63	89.80 10.20	89.49 10.51
FY18	12.97	1.03	RO 12.93 CIP 13.36	89.87 10.13	89.57 10.43
FY19	12.73	1.03	RO 12.69 CIP 13.11	90.27 9.73	89.98 10.02
FY20	12.37	1.03	RO 12.33 CIP 12.74	90.58 9.42	90.30 9.70
FY21	12.48		RO CIP	90.31 9.69	

CALCULATING THE MAXIMUM ALLOWABLE LEVY

FY2020 Levy Limit	\$82,035,573
Additional Amended FY2020 Growth	\$ -3,084
Prop 2 ½ Increase	\$ 2,050,812
Residential New Growth	\$ 778,168
CIP New Growth	<u>\$ 309,127</u>
FY2021 Levy Limit	\$85,170,596
CSO Debt Exclusion	\$ 2,756,629
Water Debt Exclusion	\$ 2,255,657
FY2021 Maximum Allowable Levy	\$90,182,882

<u>Maximum allowable levy</u>	<u>90,182,882</u>	=	.012486
Total value of all parcels	7,222,710,570		

FY21 tax rate at a factor of 1: \$12.48 (rounded to not exceed the maximum allowable levy)

FY21 TAX RATE AT A FACTOR OF ONE = \$12.48
RESIDENTIAL CLASS REPRESENTS 90.31% OF LEVY, CIP 9.69%

SHIFT IN TAX RATE			SHIFT IN LEVY	
<u>SHIFT</u>	<u>R RATE</u>	<u>CIP RATE</u>	<u>RO%</u>	<u>CIP%</u>
1.01	12.47	12.61	90.21%	9.79%
1.02	12.46	12.74	90.12%	9.88%
1.03	12.45	12.86	90.02%	9.98%
1.04	12.43	12.99	89.92%	10.08%
1.05	12.42	13.11	89.83%	10.17%
1.06	12.41	13.24	89.73%	10.27%
1.07	12.39	13.36	89.63%	10.37%
1.08	12.38	13.49	89.53%	10.47%
1.09	12.37	13.61	89.44%	10.56%
1.10	12.35	13.73	89.34%	10.66%
1.11	12.34	13.86	89.24%	10.76%
1.12	12.33	13.99	89.15%	10.85%
1.13	12.31	14.11	89.05%	10.95%
1.14	12.30	14.24	88.95%	11.05%
1.15	12.29	14.36	88.86%	11.14%
1.16	12.27	14.49	88.76%	11.24%
1.17	12.26	14.61	88.66%	11.34%
1.18	12.24	14.74	88.57%	11.43%
1.19	12.23	14.86	88.47%	11.53%
1.20	12.22	14.98	88.37%	11.63%
1.21	12.20	15.11	88.28%	11.72%
1.22	12.19	15.23	88.18%	11.82%
1.23	12.18	15.36	88.08%	11.92%
1.24	12.16	15.48	87.98%	12.02%
1.25	12.15	15.61	87.89%	12.11%
1.26	12.14	15.73	87.79%	12.21%
1.27	12.12	15.86	87.69%	12.31%
1.28	12.11	15.98	87.60%	12.40%
1.29	12.10	16.11	87.50%	12.50%
1.30	12.08	16.23	87.40%	12.60%
1.31	12.07	16.36	87.31%	12.69%
1.32	12.06	16.48	87.21%	12.79%
1.33	12.04	16.61	87.11%	12.89%
1.34	12.03	16.73	87.02%	12.98%
1.35	12.02	16.86	86.92%	13.08%
1.36	12.00	16.98	86.82%	13.18%
1.37	11.99	17.11	86.72%	13.28%
1.38	11.98	17.23	86.63%	13.37%
1.39	11.96	17.36	86.53%	13.47%
1.40	11.95	17.48	86.43%	13.57%
1.41	11.94	17.61	86.34%	13.66%
1.42	11.92	17.73	86.24%	13.76%
1.43	11.91	17.86	86.14%	13.86%
1.44	11.90	17.98	86.05%	13.95%
1.45	11.88	18.11	85.95%	14.05%
1.46	11.87	18.23	85.85%	14.15%
1.47	11.86	18.36	85.76%	14.24%
1.48	11.84	18.48	85.66%	14.34%
1.49	11.83	18.61	85.56%	14.44%
1.50	11.82	18.73	85.47%	14.54%

COMPARISON OF LEVY BY CLASS AT VARIOUS SHIFT FACTORS

Page 9

	FY2021 MAXIMUM ALLOWABLE LEVY :			\$90,182,882
	UNIT	FY21 VALUE	FACTOR 1	FY21 FACTOR 1
CLASS DESCRIPTION	COUNT	BY CLASS	TAX RATE	LEVY
RESIDENTIAL	12,636	\$6,523,057,130	\$12.48	\$81,407,752.98
CIP	2,350	\$699,653,440	\$12.48	\$8,731,674.93
TOTALS	14,986	\$7,222,710,570		\$90,139,427.91

OTHER TAX RATES AND LEVIES FOR VARIOUS SHIFT FACTORS

Tax rates adjusted when necessary based on the maximum allowable levy*

			TAX RATE	LEVY BY CLASS	LEVY SHIFT FROM FACTOR 1
FACTOR 101		RESIDENTIAL	\$12.47	\$81,342,522.41	-\$65,230.57
		CIP	\$12.61	\$8,822,629.88	\$90,954.95
				90,165,152.29	
FACTOR 103	*	RESIDENTIAL	\$12.44	\$81,146,830.70	-\$260,922.29
		CIP	\$12.86	8,997,543.24	\$265,868.31
				90,144,373.94	
FACTOR 106	*	RESIDENTIAL	\$12.40	\$80,885,908.41	-\$521,844.57
		CIP	\$13.24	\$9,263,411.55	\$531,736.61
				90,149,319.96	
FACTOR 110		RESIDENTIAL	\$12.35	\$80,559,755.56	-\$847,997.43
		CIP	\$13.73	\$9,606,241.73	\$874,566.80
				90,165,997.29	
FACTOR 115	*	RESIDENTIAL	\$12.28	\$80,103,141.56	-\$1,304,611.43
		CIP	\$14.36	\$10,047,023.40	\$1,315,348.47
				90,150,164.95	
FACTOR 120	*	RESIDENTIAL	\$12.21	\$79,646,527.56	-\$1,761,225.43
		CIP	\$14.98	\$10,480,808.53	\$1,749,133.60
				90,127,336.09	
FACTOR 125		RESIDENTIAL	\$12.15	\$79,255,144.13	-\$2,152,608.85
		CIP	\$15.61	\$10,921,590.20	\$2,189,915.27
				90,176,734.33	
FACTOR 130		RESIDENTIAL	\$12.08	\$78,798,530.13	-\$2,609,222.85
		CIP	\$16.23	\$11,355,375.33	\$2,623,700.40
				90,153,905.46	
FACTOR 135	*	RESIDENTIAL	\$12.01	\$78,341,916.13	-\$3,065,836.85
		CIP	\$16.86	\$11,796,157.00	\$3,064,482.07
				90,138,073.13	
FACTOR 140		RESIDENTIAL	\$11.95	\$77,950,532.70	-\$3,457,220.28
		CIP	\$17.48	\$12,229,942.13	\$3,498,267.20
				90,180,474.83	

CHANGE IN TAX DOLLARS AT VARIOUS SHIFTS

FY 2021	Tax Rate per \$1,000	PROPERTY VALUE			
		<u>\$250,000</u>	<u>\$500,000</u>	<u>\$750,000</u>	<u>\$1,000,000</u>
		\$ Change with shift	\$ Change with shift	\$ Change with shift	\$ Change with shift
<u>Shift to 1.03</u>					
Factor of 1	\$12.48	\$3,120.00	\$6,240.00	\$9,360.00	\$12,480.00
Residential	\$12.44	\$3,110.00	\$6,220.00	\$9,330.00	\$12,440.00
CIP	\$12.86	\$3,215.00	\$6,430.00	\$9,645.00	\$12,860.00
<u>Shift to 1.06</u>					
Factor of 1	\$12.48	\$3,120.00	\$6,240.00	\$9,360.00	\$12,480.00
Residential	\$12.40	\$3,100.00	\$6,200.00	\$9,300.00	\$12,400.00
CIP	\$13.24	\$3,310.00	\$6,620.00	\$9,930.00	\$13,240.00
<u>Shift to 1.1</u>					
Factor of 1	\$12.48	\$3,120.00	\$6,240.00	\$9,360.00	\$12,480.00
Residential	\$12.35	\$3,087.50	\$6,175.00	\$9,262.50	\$12,350.00
CIP	\$13.73	\$3,432.50	\$6,865.00	\$10,297.50	\$13,730.00
<u>Shift to 1.2</u>					
Factor of 1	\$12.48	\$3,120.00	\$6,240.00	\$9,360.00	\$12,480.00
Residential	\$12.21	\$3,052.50	\$6,105.00	\$9,157.50	\$12,210.00
CIP	\$14.98	\$3,745.00	\$7,490.00	\$11,235.00	\$14,980.00
<u>Shift to 1.3</u>					
Factor of 1	\$12.48	\$3,120.00	\$6,240.00	\$9,360.00	\$12,480.00
Residential	\$12.08	\$3,020.00	\$6,040.00	\$9,060.00	\$12,080.00
CIP	\$16.23	\$4,057.50	\$8,115.00	\$12,172.50	\$16,230.00
<u>Shift to 1.4</u>					
Factor of 1	\$12.48	\$3,120.00	\$6,240.00	\$9,360.00	\$12,480.00
Residential	\$11.95	\$2,987.50	\$5,975.00	\$8,962.50	\$11,950.00
CIP	\$17.48	\$4,370.00	\$8,740.00	\$13,110.00	\$17,480.00
<u>Shift to 1.5</u>					
Factor of 1	\$12.48	\$3,120.00	\$6,240.00	\$9,360.00	\$12,480.00
Residential	\$11.82	\$2,955.00	\$5,910.00	\$8,865.00	\$11,820.00
CIP	\$18.73	\$4,682.50	\$9,365.00	\$14,047.50	\$18,730.00

OPEN SPACE DISCOUNT

Currently, there are no parcels classified as Open Space in the City of Gloucester.

Land maintained in open and natural condition which contributes to the benefit and enjoyment of the general public, can be discounted in a range from 1% to 25%.

By definition, the qualifying land cannot include:

- a) Forest land (Ch. 61) unless adopted locally
- b) Farm land (Ch. 61A) unless adopted locally
- c) Recreation land (Ch. 61B) unless adopted locally
- d) Conservation restricted land (permanent)
- e) Land held for production of income

The Assessors of each community will determine the criteria for Open Space. If a discount is allowed, the Residential Class will absorb the discount given to Open Space.

There were no communities that opted for the Open Space Discount in Fiscal Year 2020.

RESIDENTIAL EXEMPTION

1. At the option of the Mayor, with City Council approval, an exemption of not more than 35 percent of the average assessed value of all Residential parcels may be applied to residential parcels that are the principal residence of the property taxpayer as used by the taxpayer for state income tax purposes as of January 1, 2020. MGL Ch. 59 Section 5C.

2. Principal residence is ordinarily the residence in which a property taxpayer lives. It is the taxpayer's domicile: Fixed place of habitation, permanent home or legal residence. Therefore, residential parcels not eligible for the residential exemption would include accessory land, summer homes and apartment buildings.

3. The application of the residential exemption, in addition to any other exemptions allowable under GL Ch. 59 Section 5, may not reduce the taxable value of the property to less than 10 percent of its full and fair cash value.

4. There were 15 communities that adopted the residential exemption in Fiscal Year 2020: Barnstable, Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Nantucket, Provincetown, Somerville, Tisbury, Truro, Waltham, Watertown and Wellfleet.

RESIDENTIAL EXEMPTION of 10 PERCENT**EXAMPLE**

Total value of residential class = \$6,523,057,130 and an estimated 65% of all residential parcels are qualified.

Rate = \$12.48 at a factor of 1
12,636 parcels are in Class 1

\$516,228 = average assessment of all Class 1 (residential) parcels
8,213 parcels are estimated to qualify

The following illustrates what would happen to taxes and the tax rate if the **10%** residential exemption was given:

\$516,228 X .10 = \$51,623 exemption (51,600 rounded) \$51,600 X 8,213 eligible parcels = \$423,790,800
exempted from Residential Class

The new Residential Class Total Value is: \$6,523,057,130 - \$423,790,800 = \$6,099,266,330
The new Residential Tax Rate at a factor of one is: $\frac{(\$90,182,882 \times .9031)}{\$6,099,266,330} \times 1000 = \13.35

Exemption Amount	\$51,600	New Rate:	\$13.35	Tax \$ Change
Factor of 1	\$250,000	@ \$12.48	\$3,120.00	
		with exemption:		
Qualified	\$198,400	@ \$13.35	\$2,648.64	-\$471.36
Not Qualified	\$250,000	@ \$13.35	\$3,337.50	\$217.50
Factor of 1	\$350,000	@ \$12.48	\$4,368.00	
		with exemption:		
Qualified	\$298,400	@ \$13.35	\$3,983.64	-\$384.36
Not Qualified	\$350,000	@ \$13.35	\$4,672.50	\$304.50
Factor of 1	\$450,000	@ \$12.48	\$5,616.00	
		with exemption:		
Qualified	\$398,400	@ \$13.35	\$5,318.64	-\$297.36
Not Qualified	\$450,000	@ \$13.35	\$6,007.50	\$391.50
Factor of 1	\$627,563	@ \$12.48	\$7,831.99	
<i>Gloucester's Average Single Family</i>		with exemption:		
Qualified	\$575,963	@ \$13.35	\$7,689.11	-\$142.88
Not Qualified	\$627,563	@ \$13.35	\$8,377.97	\$545.98
Factor of 1	\$650,000	@ \$12.48	\$8,112.00	
		with exemption:		
Qualified	\$598,400	@ \$13.35	\$7,988.64	-\$123.36
Not Qualified	\$650,000	@ \$13.35	\$8,677.50	\$565.50
Factor of 1	\$750,000	@ \$12.48	\$9,360.00	
		with exemption:		
Qualified	\$698,400	@ \$13.35	\$9,323.64	-\$36.36
Not Qualified	\$750,000	@ \$13.35	\$10,012.50	\$652.50

Break-even value is approximately \$791,800

Factor of 1	\$1,000,000	@ \$12.48	\$12,480.00	
		with exemption:		
Qualified	\$948,400	@ \$13.35	\$12,661.14	\$181.14
Not Qualified	\$1,000,000	@ \$13.35	\$13,350.00	\$870.00

SMALL COMMERCIAL EXEMPTION

1. At the option of the Mayor, with City Council approval, an exemption of any percentage up to 10 may be applied to (class three) commercial, parcels that are:

(1) Occupied as of January 1, 2020 by a business with an average annual employment of no more than ten during calendar year 2019, as certified by the Director of the Department of Labor and Workforce Development, and

(2) Have a valuation of less than one million dollars. MGL Ch. 29 Section 5I.

2. An eligible business is one that is certified by the Director of Labor and Workforce Development as having had an average annual employment at all locations of ten or fewer people during calendar year 2019. The Director provides the assessors with a list of eligible business by July 1, 2020. MGL Ch. 151A Section 64A. The assessors are to rely exclusively on the Director's certification in determining whether a business qualifies.

3. The commercial parcel does not have to be owned by the occupying business or any other eligible business. If a parcel has multiple commercial occupants or tenants, all occupants must be eligible. If a parcel is multiple use, such as a residential and commercial property, all occupants of the commercial portion must be eligible.

4. The parcel must have a valuation of less than one million dollars before the application of any small commercial exemption. The exemption applies to a specific parcel occupied by an eligible business, not to the eligible business itself. Therefore, if any particular eligible business occupies more than one parcel, each under one million dollars in value, each parcel would qualify for the exemption.

There were 12 communities that adopted the small commercial exemption in Fiscal Year 2020:

Auburn, with CIP share of 28.16%
Avon with a CIP share of 42.50%
Bellingham, with CIP share of 28.13%
Berlin, with a CIP share of 24.47%
Braintree, with CIP share of 21.54%
Chelmsford, with a CIP share of 17.37%
Dartmouth, with a CIP share of 15.77%
Erving, with a CIP share of 86.54%
North Attleboro, with a CIP share of 16.21%
Seekonk, with a CIP share of 23.96%
Swampscott, with a CIP share of 7.07%
Wrentham, with CIP share of 19.46%



CITY OF GLOUCESTER

GLOUCESTER, MASSACHUSETTS - 01930

OFFICE OF THE ASSESSORS

<u>PROPERTY CLASS</u>	<u>FY20-FY21 MEAN VALUE % CHANGE</u>	<u>FY21 MEAN VALUE</u>
Single Family Parcel Count = 7,207	+1.5%	\$627,563
Condominium Parcel Count = 1,527	+2.3%	\$412,336
Two Family Parcel Count = 1,336	+4.2%	\$495,936
Three Family Parcel Count = 359	+4.8%	\$458,633
4-8 Units Parcel Count = 156	+3.2%	\$606,526
8+ Units Parcel Count = 15	+6.0%	\$2,214,467
Mixed Use Parcel Count = 158	+4.4%	\$607,034
Commercial (Improved) Parcel Count = 314	+1.3%	\$980,459
Industrial (Improved) Parcel Count = 138	+0.8%	\$1,184,467



CITY OF GLOUCESTER

GLOUCESTER, MASSACHUSETTS - 01930

OFFICE OF THE ASSESSORS

<u>PROPERTY CLASS</u>	<u>FY20-FY21 MEDIAN VALUE % CHANGE</u>	<u>FY21 MEDIAN VALUE</u>
Single Family Parcel Count = 7,207	+2.9%	\$458,300
Condominium Parcel Count = 1,527	+0.3%	\$323,000
Two Family Parcel Count = 1,336	+4.3%	\$429,150
Three Family Parcel Count = 359	+5.3%	\$435,800
4-8 Unit Parcel Count = 156	+7.2%	\$560,950
8+ Unit Parcel Count = 15	+27.8%	\$1,781,300
Mixed Use Parcel Count = 158	+5.7%	\$486,600
Commercial (Improved) Parcel Count = 314	-1.4%	\$488,000
Industrial (Improved) Parcel Count = 138	-1.4%	\$437,200

BUDGET & FINANCE MEETING MINUTES

12/3/2020

(UNDER SEPARATE COVER)

Angela Sanfilippo, to attend the meetings, along with other fishing industry representatives. She wanted to ensure that there was as much diversity represented in the committee as possible, and that it included education. The public was encouraged to attend as well.

Ms. Cahill reiterated that **Mayor Romeo Theken** had made it very clear that she wanted everyone on those particular boards and commissions, and also the public, to feel engaged and involved. All the meetings will be public at her request.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a state grant from the MA Seaport Economic Council (SEC) in the amount of \$240,000. The purpose of this grant is to support the City's next generation of the Harbor/Designated Port Area (DPA) Master Plan. The grant period is through June 30, 2022. There is a 20% local match for this grant.

Summary of Discussion: **Ms. Cahill** thanked the Councilors and **Mayor Romeo Theken** for their support.

→ **1. Memorandum from Principal Assessor re: FY21 Tax Classification (Cont. from 11/5/2020)**

This matter has been continued until December 3, 2020.

2. Memorandum, Grant Application & Checklist from the Public Health Director requesting acceptance of an award from the Metropolitan Area Planning Council for 2020 flu season support, in the amount of \$3,090.10

Public Health Director Karin Carroll informed the meeting attendees that she was before the committee this evening requesting that approval be granted for a MAPC grant that had been received for for flu vaccination clinics this fall. She explained that there were 3 nurses who had worked with the department to provide a very successful door-to-door flu vaccination for the first time in senior housing units. The nurses felt that the process was very efficient since people felt more relaxed, and the nurses were able to navigate safely. School clinics were also conducted as well to meet the new MA requirement for flu vaccinations.

3. Memorandum, Grant Application & Checklist from the Police Chief requesting acceptance of an FY21 State 911 Emergency Medical Dispatch Grant in the amount of \$45,149.79

COMMITTEE RECOMMENDATION: On motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted BY ROLL CALL 3 in favor, 0 opposed to recommend that the City Council accept under MGL c. 44, §53A, a state grant from the Massachusetts Executive Office of Public Safety And Security, State 911 Department, a FY21 State 911 Department Emergency Medical Dispatch Grant Program for \$45,149.79. The grant period is from October 27, 2020 through June 30, 2021 and there is no local match for this grant.

Summary of Discussion: **Police Chief Ed Conley** stated that it was an annual grant provided by the state based on a predesignated formula of city population. It is utilized to increase emergency medical dispatch trainings, and to conduct quality assurance on all calls.

Councilor Cox expressed gratitude that the state provided this annual grant.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation - Budgetary Request 2021-SA-1 in the amount of \$258,827.00 (Two Hundred Fifty Eight Thousand and Eight Hundred Twenty Seven Dollars) from Account #75005-596001, General Stabilization Fund, Transfers to General Fund to Account #00972972-497006, General Fund, Transfers from Trust Funds for the purpose of adjusting General Fund Budgeted Revenues to account for the overall net reduction to FY2021 State Aid and Assessments.



6. Memorandum from Principal Assessor re: FY21 Tax Classification

Summary of Discussion: Chairperson Cox encouraged anyone interested in receiving a tax classification refresher to contact the Assessor's Office, as they had been a valuable resource in the past. CFO Dunn shared that Principal Assessor Nancy Papows had reported in conversations over the past week that the first step passed without issues, and has advanced to the second step, which she felt should be approved soon.

This matter has been continued until Thursday, November 19, 2020.

7. Memo from City Auditor regarding accounts having expenditures which exceed their authorization & Auditor's Report and other related business

Summary of Discussion: City Auditor Kenny Costa stated he had nothing to report this evening.

Chairperson Cox expressed appreciation for Council President LeBlanc having attended tonight's meeting.

MOTION: On a motion by Councilor Memhard, seconded by Councilor McCarthy, the Budget and Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to adjourn the meeting at 6:02 p.m.

Respectfully submitted,
Brianna Komi
Administrative Support
City Clerk's Office



GLOUCESTER CITY COUNCIL 2020 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2020-035

SUBJECT: Amend GCO Ch. 10 "Waterways Administration," Art. V "Other Waterway Regulations," Sec. 10-87 "Harbormaster Patrol Details"

DATE OPENED: 12/8/2020

CONTINUED TO:

CONTINUED FROM:

COMMITTEE: O&A 11/16/2020

NOTICE OF PUBLIC HEARINGS

Pursuant to Section 17 of Chapter 53 of the Acts of 2020, the Gloucester City Council will hold remote public hearings on **Tuesday, December 8, 2020 at 6:00 p.m.** for the following amendments to the Gloucester Code of Ordinances:

AMEND GCO Ch. 10 "Waterways Administration", Art. V "Other Waterway Regulations", Sec. 10-87 "Harbormaster Patrol Details" as follows:

(a) The harbormaster shall have the authority to conduct and manage all details on the water in coordination with the chief of police.

(b) Said water details shall be required for all marine events such as but not limited to, bridge construction, movie or commercial work, construction of waterfront property, and marine permitted events requiring a safety/security boat.

(~~b~~ c) The harbormaster shall select the harbormaster personnel to serve on each said water detail and each said detail, to the extent possible, shall be filled by a member of the police department consistent with the terms of the appropriate collective bargaining agreement, charge a fee of \$105.00 per hour for the use of a vessel and two assistant harbormasters during daytime hours (6:00 a.m. – 8:00 p.m.) and a fee of \$145.00/hr. for nighttime hours (8:00 p.m. – 6:00 a.m.). In the event that supervisors are required, the harbormaster shall charge a fee of \$125.00/hr. during daylight hours and \$175.00/hr. for nighttime hours.

(d) The hourly rates for said water details shall be established by the harbormaster in consultation with the mayor's office for the harbormaster's staff and shall be established by the terms of the appropriate collective bargaining agreement for the members of the police department. Further, said rates shall be furnished upon request. ~~are as follows:~~

AMEND GCO Ch. 22 "Traffic and Motor Vehicles", Art. VI "Traffic Schedules", Sec. 22-270.1 "Resident Parking" Only by ADDING:

Fenley Road, from May 1 – September 15 only
Cedarwood Road, from May 1 – September 15 only

Access information for the remote public hearings will be listed on the agenda at www.gloucester-ma.gov. The President reserves the right under the law to re-schedule the date and/or deadline for this and any other public hearing at any time provided that the applicant and the public are notified as quickly as is reasonably possible.

At the public hearings, all interested persons will have the opportunity to be heard based on the procedures determined by the Council.

All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be submitted to the Council prior to the public hearing.

By Vote of the City Council
Joanne M. Senos, City Clerk
###

Gloucester Cultural Council, which he was unaware existed. Cultural Council member Elizabeth Neumeier came into Dogtown Books about a week later, and they had talked and exchange ideas. He had never realized that the council was involved with the Cape Ann Symphony Orchestra, the museum, the writer's center, and MAGMA. He had felt immediately energized, and had attended one in-person meeting before the pandemic, and another one via Zoom. He believed that the Cultural Council has enormous growth potential to reach youth, as well as the under-privileged, or those who currently lacked access. He expressed excitement to be able to be part of a group that sponsored arts from the ground up.

Councilor O'Hara thanked **Mr. Cotterman** for stepping forward. He commented with his background, he believed he would be a great fit for the Cultural Council.

Councilor McCarthy thanked **Mr. Cotterman** for volunteering, and commented that he had read his resume'. He informed him that the Cultural Council is designed by statute that was attached in the packet for tonight's meeting available on the City website if **Mr. Cotterman** wanted to read it.

Chairman Nolan thanked **Mr. Cotterman** for moving to Gloucester. He mentioned the fact that **Mr. Cotterman** previously provided lighting design for ESPN boxing events for 4 years, which he found to be interesting and varied.

When **Chairman Nolan** asked, **Mr. Cotterman** informed him that he had completed his online test, but had not yet been sworn in. The **City Clerk** explained that if he was comfortable visiting City Hall and the City Clerk's office, he could be sworn in prior to the City Council meeting.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Standing Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend the City Council appoint Lucas Cotterman to the Gloucester Cultural Council, TTE 2/14/21.

→ **2. CC#2020-013 (Nolan): Amendments to GCO Ch. 10 "Waterways Administration", Article V "Other Waterway Regulations", Sec. 10-87 "Harbormaster Patrol Details"**

Summary of Discussion: **Assistant Harbormaster Chad Johnson** thanked the committee for the invitation to attend. He explained that about 2 years ago, this was entered into the ordinance since the office had started to receive a lot of detail requests, when they had not been done prior to that. When the MBTA bridge project began, a Coast Guard regulation was enacted that stated that any time a federal channel (such as the Annisquam River) was going to be blocked for any type of maintenance that a detail would be required. The Coast Guard regulation stated that the Harbormaster shall be in charge of the detail. He elaborated that it does not say that the detail has to be done by the Harbormaster, just that that office would be in charge of organizing the detail. So the ordinance that Harbormaster T.J. Ciarametaro has put through because was in response to what the Ordinances & Administration had edited, and those edits have been agreed upon by the Harbormaster.

Chairman Nolan shared that this had been formed when the Harbormaster had requested the ability to be able to pay for a detail performed by that office for work that could not or should not be filled by the police department. Through the organization of **General Counsel Chip Payson**, **HR Director Holly Dougwillo**, the police chief, and **Mayor Romeo Theken's** office, different criteria was reviewed so the best solution could be determined that would not influence or deter any type of contractual obligations to workers in the police department. He believed that the language being put forward tonight was something that would work for both the Harbormaster and Police Chief Ed Conley.

Councilor O'Hara thanked **Chairman Nolan** and the Harbormaster's office for their efforts.

Chairman Nolan stated that he was interested to hear **Councilor McCarthy's** input since he had experience with the sea and law enforcement. **Councilor McCarthy** felt that it was an improvement on the existing ordinance. It addressed any of the issues that the CBA may have brought up, and that it was a collaboration between the Harbormaster and Police Chief to manage the water details. He commented that a lot of the wording had been removed, which allowed flexibility for the fees that constantly changed. **Councilor McCarthy** had spoken with Police Chief Ed Conley, who had read and had no objection to the amendment. He shared that details are not requested often, but it was good to have in place when needed.

Chairman Nolan thanked **Councilors McCarthy** and **O'Hara**, and said that he believed this was a step up from what existed before, and provided more harmony in terms of what the City was looking to do with legal language. He thought it was well-vetted, met the needs of the police department and the Harbormaster's office, and the ability for both agencies to bill for the usage of their boats, patrol personnel, and things that need to go forward.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinance and Administration Standing Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend to the City Council to AMEND GCO Chapter 10 "Waterways Administration", Article V "Other Waterway Regulations", Section 10-87 "Harbormaster Patrol Details" as follows:

(a) The Harbormaster shall have the authority to conduct and manage all details on the water in coordination with the Chief of Police.

(b) Said water details shall be required for all marine events such as but not limited to, bridge construction, movie or commercial work, construction of waterfront property, and marine permitted events requiring a safety/security boat.

(c) The Harbormaster shall select the Harbormaster personnel to serve on each said water detail and each said detail, to the extent possible, shall be filled by a member of the police department consistent with the terms of the appropriate collective bargaining agreement, charge a fee of \$105.00 per hour for the use of a vessel and two Assistant Harbormasters during daytime hours (6:00 a.m.—8:00 p.m.) and a fee of \$145.00/hr. for nighttime hours (8:00 p.m.—6:00 a.m.). In the event that supervisors are required, the Harbormaster shall charge a fee of \$125.00/hr. during daylight hours and \$175.00/hr. for nighttime hours.

(d) The hourly rates for said water details shall be established by the Harbormaster in consultation with the Mayor's office for the Harbormaster's staff and shall be established by the terms of the appropriate collective bargaining agreement for the members of the police department. Further, said rates shall be furnished upon request.

3. CC#2020-014 (Nolan): Request that the State Legislators file a Home Rule petition regarding raising parking fines pursuant to Sec. 20A ½ of Chapter 90 of the General Laws

Summary of Discussion: Councilor McCarthy stated that he knew fines up to \$150 were allowed, but he knew by their previous discussion that meter violations would not be charged that amount. He asked **Chairman Nolan** who would establish the different violations and fees, would it be the City Council, or would it be brought to City Council after being reviewed by a subcommittee?

Chairman Nolan responded that the wording created confusion because it said "up to". He explained that the effectiveness that the Ordinances & Administration Committee sought was to make all parking violations a \$100 fine, with the exclusion of meter violations (which would be a smaller violation for



GLOUCESTER CITY COUNCIL 2020 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2020-036

SUBJECT: Amend GCO Ch. 22 "Traffic and Motor Vehicles," Art. VI "Traffic Schedules," Sec. 22-270.1 "Resident Sticker Parking Only" by ADDING Fenley Road and Cedarwood Road from May 1 – September 15 only

DATE OPENED: 12/8/2020

CONTINUED TO:

CONTINUED FROM:

COMMITTEE: O&A 11/16/2020

NOTICE OF PUBLIC HEARINGS

Pursuant to Section 17 of Chapter 53 of the Acts of 2020, the Gloucester City Council will hold remote public hearings on Tuesday, December 8, 2020 at 6:00 p.m. for the following amendments to the Gloucester Code of Ordinances:

AMEND GCO Ch. 10 "Waterways Administration", Art. V "Other Waterway Regulations", Sec. 10-87 "Harbormaster Patrol Details" as follows:

(a) The harbormaster shall have the authority to conduct and manage all details on the water in coordination with the chief of police.

(b) Said water details shall be required for all marine events such as but not limited to, bridge construction, movie or commercial work, construction of waterfront property, and marine permitted events requiring a safety/security boat.

(c) The harbormaster shall select the harbormaster personnel to serve on each said water detail and each said detail, to the extent possible, shall be filled by a member of the police department consistent with the terms of the appropriate collective bargaining agreement, charge a fee of \$105.00 per hour for the use of a vessel and two assistant harbormasters during daytime hours (6:00 a.m. – 8:00 p.m.) and a fee of \$145.00/hr. for nighttime hours (8:00 p.m. – 6:00 a.m.). In the event that supervisors are required, the harbormaster shall charge a fee of \$125.00/hr. during daylight hours and \$175.00/hr. for nighttime hours.

(d) The hourly rates for said water details shall be established by the harbormaster in consultation with the mayor's office for the harbormaster's staff and shall be established by the terms of the appropriate collective bargaining agreement for the members of the police department. Further, said rates shall be furnished upon request, as follows:

AMEND GCO Ch. 22 "Traffic and Motor Vehicles", Art. VI "Traffic Schedules", Sec. 22-270.1 "Resident Parking" Only by ADDING:

Fenley Road, from May 1 – September 15 only
Cedarwood Road, from May 1 – September 15 only

Access information for the remote public hearings will be listed on the agenda at www.gloucester-ma.gov. The President reserves the right under the law to re-schedule the date and/or deadline for this and any other public hearing at any time provided that the applicant and the public are notified as quickly as is reasonably possible.

At the public hearings, all interested persons will have the opportunity to be heard based on the procedures determined by the Council.

All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be submitted to the Council prior to the public hearing.

By Vote of the City Council
Joanne M. Senos, City Clerk
#

The new parking meters are scheduled to be installed. **Ms. Krawczyk** stated that due to the pandemic, a recommendation to change the rates has not been made yet, but is something that could be reviewed. The current rates would be applied to the meters until they are able to be adjusted in 2021. The **City Clerk** offered to locate the ordinance section regarding the fines and forward it to the members of the Ordinances & Administration Committee before the next meeting. **Chairman Nolan** thanked the **City Clerk**, and stated that he would like to make the language more transparent and easy to understand so that people knew what to expect.

→ **4. CC#2020-015 (Nolan): Amend GCO Ch. 22 “Traffic and Motor Vehicles”, Article VI “Traffic Schedules”, Sec. 22-270.1 “Resident Parking Only” by ADDING Fenley Road and Cedarwood Road**

Summary of Discussion: **Chairman Nolan** explained that he would like to change the time period from May 1st through September 15th to keep it in consistent with other Resident Only and seasonal parking signs. The **City Clerk** stated that since there would be an addition to the ordinance, a public hearing for this matter would be held on **Tuesday, December 8, 2020.**

Chairman Nolan wanted to make everyone aware of the fact that the Ordinances & Administration Committee has a list of requested changes to street signs, and the petition for this one was received prior to the pandemic, so he was trying to move it forward as soon as possible.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend to the City Council to Amend GCO Ch. 22 “Traffic and Motor Vehicles”, Article VI “Traffic Schedules”, Sec. 22-270.1 “Resident Parking Only” by ADDING as follows:

Fenley Road from May 1 – September 15 only.

Cedarwood Road from May 1 – September 15 only.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to adjourn the meeting at 6:35 p.m.

Respectfully submitted,
Brianna Komi,
Administrative Support
City Clerk’s Office

In Re:

Application of The Bevilacqua Company, Inc.)	
for a Special Council Permit)	
for 116 East Main Street)	
Pursuant to the)	DECISION OF THE CITY
City of Gloucester Zoning Ordinance)	COUNCIL OF THE CITY
)	OF GLOUCESTER
Section 1.8.3)	
Section 2.3.1(8))	
Section 3.2.2(a)(e))	
SCP 2019-06)	

The City Council of the City of Gloucester, Massachusetts, constituting the Special Permit granting authority under the laws of the Commonwealth of Massachusetts and the Zoning Ordinance of the City of Gloucester, hereby adopts the following findings and decision ("Decision") with regard to the application of The Bevilacqua Company, Inc. ("Applicant") for four Special Permits pursuant to Sections 1.8.3, 2.3.1(8) and 3.2.2(a) and (e) of the City of Gloucester Zoning Ordinance ("GZO").

On July 17, 2019, The Bevilacqua Company, Inc. filed an Application for four Special Permits. On August 17, 2019, the City Council voted to deny the Special Permits and on October 10, 2019, the City Council's decision to deny the Special Permits was filed with the City Clerk. On October 21, 2019, the Applicant appealed the decision in the Land Court in *The Bevilacqua Co., Inc. v. Gloucester City Council*, Docket No. 19 MISC 000516-HPS.

On November 2, 2020, the Land Court issued a Judgment which ordered and adjudged that the decision of the City Council regarding the property at 116 East Main Street in Gloucester was annulled and further ordered that the City Council issue the four special permits within thirty days of the date of the Judgment. The Judgment of the Land Court is incorporated into this Decision.

At the City Council hearing on November 24, 2020, the City Council took five votes to accept the Land Court decision and to issue each of the four Special Permits.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Gilman, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to accept the Land Court Judgement Miscellaneous Case No. 19 MISC 000516 (HPS) regarding SCP2019-006, East Main Street #116.

MOTION: On a motion by Councilor Pett, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to grant a special council permit, Special Council Permit 2019-006 to the Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street number 116, Map 59, Lot 53, zoned NB (Neighborhood Business) to build two buildings on

the property consisting of four dwelling units each, for a total of eight dwelling units pursuant to Gloucester Zoning Ordinance Section 1.8.3.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Pett, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to grant a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 2.3.1(8) conversion to or new multi-family or apartment dwelling, seven or more dwelling units for an 8-unit residential use.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Nolan, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to grant a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 3.2.2 fn (e) distance between principal building

MOTION: On a motion by Councilor Nolan, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to grant a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 3.2.2 fn (a) minimum lot area per dwelling unit and minimum open space per dwelling unit.

On _____, 2020, the City Council adopted this Decision.

Pursuant to Rule 25 of the City Council Rules of Procedure, the President of the City Council and the City Clerk have signed this decision demonstrating that it is a true and accurate reflection of the November 24, 2020 vote of the City Council sitting as the special permit granting authority.

Steven G. LeBlanc, Jr.
President, Gloucester City Council

Joanne M. Senos
City Clerk

Dated: _____, 2020

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

ESSEX, ss.

MISCELLANEOUS CASE
No. 19 MISC 000516 (HPS)

THE BEVILACQUA CO., INC.

Plaintiff,

v.

PAUL LUNDBERG, MELISSA COX,
JEN HOLMGREN, JAMES W. O'HARA,
JR., R. SCOTT NEMHARD, KENNETH
HECHT, STEVEN G. LEBLANC, JR.,
VALERIE H. GILMAN, and SEAN P.
NELSON, as they are the members of the
GLOUCESTER CITY COUNCIL,

Defendants.

JUDGMENT

This action commenced on October 21, 2019, as an appeal pursuant to G. L. c. 40A, §17, of a decision of the Gloucester City Council ("City Council"), sitting as a special permit granting authority. The case came on for trial by the court (Speicher, J.). In a decision of even date, the court has made findings of fact and rulings of law. In accordance with the court's decision, it is

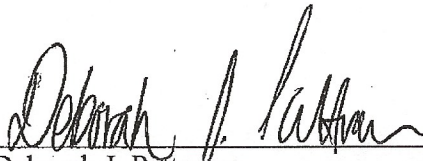
ORDERED and **ADJUDGED** on the sole count of the Complaint, that the decision of the City Council regarding property at 116 East Main Street in Gloucester, filed with the Gloucester city clerk on October 10, 2019, is hereby **ANNULLED**, and it is further

ORDERED and **ADJUDGED** that the City Council is hereby **ORDERED**, within thirty days of the date of this Judgment, to issue the four special permits as applied for by the plaintiff; and it is further

ORDERED that today's decision, and this Judgment issued pursuant thereto, dispose of this entire case; the court has adjudicated or dismissed all claims by all parties in this action and has not reserved decision on any claim or defense.

HPR By the Court (Speicher, J.)

Attest:


Deborah J. Patterson
Recorder

Dated: November 2, 2020